

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DAWN THOMPSON,)
)
Plaintiff,)
)
v.)
)
MICRON TECHNOLOGY, INC.,)
MICRON SEMICONDUCTOR)
PRODUCTS, INC., CRUCIAL)
TECHNOLOGY, INC., NANYA) Civil Action No. 04-10778-JLT
TECHNOLOGY CORPORATION,)
NANYA TECHNOLOGY)
CORPORATION USA, INFINEON)
TECHNOLOGIES AG, INFINEON)
TECHNOLOGIES NORTH AMERICA)
CORPORATION, MOSEL VITELIC)
CORPORATION, MOSEL VITELIC)
CORPORATION USA, WINBOND)
ELECTRONICS CORPORATION,)
WINBOND ELECTRONICS)
CORPORATION AMERICA, NEC)
ELECTRONICS AMERICA, INC., HYNIX)
SEMICONDUCTOR INC., HYNIX)
SEMICONDUCTOR AMERICA, INC.,)
SAMSUNG ELECTRONICS CO., LTD,)
SAMSUNG SEMICONDUCTOR, INC.,)
ELPIDA MEMORY, INC., AND ELPIDA)
MEMORY USA, INC.)
)
Defendants.)
)
)

STIPULATION

Plaintiff Dawn Thompson and Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., Crucial Technology, Nanya Technology Corporation USA, Infineon Technologies North America Corporation, Mosel Vitelic Corporation

(USA), Winbond Electronics Corporation America, NEC Electronics America, Inc., Hynix Semiconductor America, Inc., Samsung Semiconductor, Inc. and Elpida Memory (USA) Inc. (collectively the “Served Defendants”) hereby stipulate as follows:

WHEREAS, Plaintiff initially filed this matter in the Essex Superior Court of the Massachusetts Trial Court with the Civil Action No. 04-0423-A;

WHEREAS, the Served Defendants removed this case to the United States District Court for the District of Massachusetts pursuant to 28 U.S.C. § 1446;

WHEREAS, Plaintiff has filed a motion for remand, the Served Defendants have opposed the motion for remand, and the motion is currently before the Court;

WHEREAS, the Served Defendants have filed a notice of tag-along action with the Judicial Panel on Multidistrict Litigation seeking to have this matter transferred to the Northern District of California to be coordinated with *In re Dynamic Random Access Memory (DRAM) Antitrust Litigation*, Master File No. M-02-1486-PJH (the “MDL Litigation”); and

WHEREAS, Plaintiff and the Served Defendants have reached agreement concerning certain procedural matters;

NOW, therefore, Plaintiff and the Served Defendants hereby stipulate as follows:

1. By prior agreement, the Served Defendants’ obligation to respond to the Complaint was extended to June 1, 2004. The parties now agree that Defendants need not respond to the current Complaint.

2. Following the Court’s ruling on the pending remand motion, Plaintiff will file an Amended Complaint.

3. Defendants' responses to the Amended Complaint will be due 14 days following service of the Amended Complaint.

4. The parties have agreed to stay all discovery until after the Court rules on the pending motion for remand.

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USA, Infineon Technologies North America,
Corp., Mosel Vitelic Corporation, Winbond
Electronics Corp. America, NEC Electronics
America, Inc., Hynix Semiconductor
America, Inc., Samsung Semiconductor,
Inc., & Elpida Memory (USA) Inc.*

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Crucial Technology.*

DATED: May 28, 2004

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